

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SELIM ZHERKA,

Plaintiff,

- against -

MICHAEL F. BOGDANOS, individually, MICHAEL R. EDELMAN, individually a/k/a "THE CONSULTANT", PHILIP AMICONE, individually and in his capacity as Mayor of the City of Yonkers, New York; DAVID "DOE" a/k/a "ETHAN EDWARDS", individually, EDMUND ROE a/k/a "MOB BUSTER", individually, et al.

Defendants.

No. 08 Civ. 2062 (CLB)(GAY)

**NOTICE OF MOTION TO  
QUASH OR MODIFY  
SUBPOENAS DUCES TECUM**

PLEASE TAKE NOTICE that upon the attached Affidavit of Mark A. Fowler, sworn to on July 25, 2008, and the accompanying Memorandum of Law, and upon all the pleadings and proceedings had herein, nonparty witness Gannett Satellite Information Services, Inc. ("Gannett"), by and through its undersigned attorneys, Satterlee Stephens Burke & Burke LLP, will move this Court, at the United States Courthouse located at 300 Quarropas Street, White Plains, New York, in Courtroom 116, on August 12, 2008, for an order, pursuant to Fed. R. Civ. P. 45, quashing and/or modifying the subpoenas issued by plaintiff Selim Zherka to Gannett dated June 27, 2008, on the grounds that (1) all information sought therein is protected from disclosure by the qualified privilege for anonymity under the First Amendment to the United States Constitution and/or Article I, Section 8, of the New York State Constitution, and (2) the subpoena seeks irrelevant information and imposes and undue burden; and for such other and further relief as this Court deems proper. Pursuant to the order of the Honorable Mark D.

Fox, entered on July 21, 2008, opposition papers, if any, are to be filed on or before August 4, 2008, and reply papers, if any, are to be filed on or before August 12, 2008, and the motion shall be returnable before the Honorable George A. Yanthis.

Dated: New York, New York  
July 28, 2008

SATTERLEE STEPHENS BURKE & BURKE LLP

By:



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